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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOHN LASZLOFFY,

Plaintiff,

v.

CINDY ZORAIDA GARCIA,

Defendants.

Case No. 2:19-cv-1173-JAD-BNW

ORDER

Before the Court are plaintiff John Laszloffy's application for leave to proceed in forma pauperis (ECF No. 1), motions to file electronically (ECF Nos. 3 and 4), and motion for leave to file an amended complaint (ECF No. 5). The Court will deny Laszloffy's application because it is incomplete; Laszloffy must either pay the Court's filing fee or file a new application and include a new complaint. In anticipation of a new application and complaint, Laszloffy's motion to file an amended complaint will be denied without prejudice. However, the Court will grant Laszloffy's first motion to file electronically and deny the second motion as moot.

I. Application to proceed in forma pauperis (ECF No. 1).

Federal law provides that the Court may authorize a civil litigant to commence a suit in forma pauperis, without prepayment of fees. 28 U.S.C. § 1915(a)(1). To that end, under the Local Special Rules, a person who desires to proceed in forma pauperis must use the application form provided by the Court. LSR 1-1. That form must include "a financial affidavit disclosing the applicant's income, assets, expenses, and liability." *Id.* The application's instructions require that the applicant "[c]omplete all questions . . . [and] not leave any blanks: if the answer to a question is '0,' 'none,' or 'not applicable (N/A),' write that response." (ECF No. 1 at 1.)

The Court will deny Laszloffy's application because it is incomplete. Sections five through seven of the application require that the applicant list his assets, his liabilities, and any persons who rely on the applicant for support. (*Id.* at 3.) Here, Laszloffy left each of those

1 sections blank. Although Laszloffy lists “N/A” in other parts of the application (*id.* at 2), he
2 wrote nothing in sections five through seven. Laszloffy must be completely responsive to the
3 application, under penalty of perjury, if he desires to proceed in forma pauperis.

4 By March 26, 2020, Laszloffy must either: (1) file a complete application to proceed in
5 forma pauperis (including a new complaint) in compliance with 28 U.S.C. § 1915(a)(1) and LSR
6 1-1;¹ or (2) pay the full \$400 fee for a civil action, which includes the \$350 filing fee and the \$50
7 administrative fee. The Court will not screen Laszloffy’s complaint until this issue is resolved.
8 Further, because the Court is requiring Laszloffy to append a new complaint to his new
9 application, the Court will deny as moot Laszloffy’s motion for leave to file an amended
10 complaint. (ECF No. 5.)²

11 **II. Motion to file electronically (ECF Nos. 3 and 4).**

12 Laszloffy requests permission to electronically file documents in this matter. The Local
13 Rules provide that a “pro se litigant may request the [C]ourt’s authorization to register as a filer in
14 a specific case.” LR IC 2-1(b). A “filer” is “a person who is issued a login and password to file
15 documents in the [C]ourt’s electronic filing system.” LR IC 1-1(b).

16 The Court will grant Laszloffy’s first motion to file electronically (ECF No. 3) and deny
17 the second motion (ECF No. 4) as moot. Laszloffy must comply with the following procedures to
18 activate his CM/ECF account:

19 (1) By **March 13, 2020**, Laszloffy must file a written certification that he has
20 completed the CM/ECF tutorial and is familiar with the Electronic Filing Procedures, Best
21 Practices, and Civil & Criminal Events Men, which are available on the court’s website,
22 www.nvd.uscourts.gov. Plaintiff is advised that he is not authorized to file electronically until
23 this certification is filed with the Court within the specified time frame.

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25 ¹ The Court’s Local Rules can be accessed on the Court’s website:
26 <https://www.nvd.uscourts.gov/court-information/rules-and-orders/>

27 ² The Court notes that Laszloffy included in his application a question regarding his eligibility to
28 have his documents served by the U.S. Marshal. (ECF No. 1-5). Laszloffy is instructed that he may file a motion to
effect service of process via the U.S. Marshal if the Court approves his application to proceed in forma pauperis and
his complaint survives screening. 28 U.S.C. § 1915(d); *accord Puett v. Blandford*, 912 F.2d 270, 273 (9th Cir. 1990).

1 (2) After timely filing the certification, Laszloffy must contact the CM/ECF Help
2 Desk at (702) 464-5555 to set up a CM/ECF account.

3 **III. Conclusion.**

4 IT IS THEREFORE ORDERED that plaintiff's Application to Proceed in forma pauperis
5 (ECF No. 1) is DENIED without prejudice.

6 IT IS FURTHER ORDERED that by **March 26, 2020**, plaintiff must either: (1) file a
7 complete application to proceed in forma pauperis (including a new complaint) in compliance
8 with 28 U.S.C. § 1915(a)(1) and LSR 1-1; or (2) pay the full \$400 fee for a civil action, which
9 includes the \$350 filing fee and the \$50 administrative fee.

10 IT IS FURTHER ORDERED that plaintiff's motion to file an amended complaint (ECF
11 No. 5) is DENIED without prejudice.

12 IT IS FURTHER ORDERED that plaintiff's first motion to file electronically (ECF No. 3)
13 is GRANTED. By **March 13, 2020**, plaintiff must file a written certification that she has
14 completed the CM/ECF tutorial and is familiar with the Electronic Filing Procedures, Best
15 Practices, and Civil & Criminal Events Menu, which are available on the court's website. After
16 timely filing the certification, plaintiff must contact the CM/ECF Help Desk at (702) 464-5555 to
17 set up a CM/ECF account.

18 IT IS FURTHER ORDERED that plaintiff's second motion to file electronically (ECF
19 No. 4) is DENIED as moot.

20 DATED: February 20, 2020

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22
23 **BRENDA WEKSLER**
24 **UNITED STATES MAGISTRATE JUDGE**